

Appln. No. 10/003,011

Attorney Docket No. 8627-213
Client Reference No. PA-5270-RFB**II. Remarks**

Reconsideration and re-examination of this application in view of the above amendments and the following remarks is herein respectfully requested.

Claims 1-22 remain pending.

Claim Rejections - 35 U.S.C. §103(a)

Claims 1, 2, and 4-6 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,755,847 to Eskuri (Eskuri) in view of U.S. Patent No. 6,096,053 to Bates (Bates).

Claim 3 was rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,755,847 to Eskuri (Eskuri) in view of U.S. Patent No. 6,096,053 to Bates (Bates) and in view of U.S. Patent No. 5,330,484 to Gunther et al. (Gunther).

Claim 7 was rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,755,847 to Eskuri (Eskuri) in view of U.S. Patent No. 6,096,053 to Bates (Bates) and in view of U.S. Patent No. 6,264,664 to Avellanet (Avellanet).

Claims 8-22 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,755,847 to Eskuri (Eskuri) in view of U.S. Patent No. 6,096,053 to Bates (Bates) and in view of U.S. Patent No. 5,098,440 to Hillstead (Hillstead).

Claims 1-22 were rejected based on U.S. Patent No. 6,755,847 to Eskuri. However, applicants respectfully submit that Eskuri is not prior art and, therefore, cannot form the basis of a rejection under 35 U.S.C. §103. The priority date of Eskuri is October 5, 2001 which is later than the priority date of the instant application, November 3, 2000 claimed through provisional application 60/245,811. The other cited references alone or in combination do not teach or suggest the

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present invention provided in claims 1-22. Accordingly, applicants respectfully request withdrawal of the rejections under 35 U.S.C. §103.

Conclusion

In view of the above amendments and remarks, it is respectfully submitted that the present form of the claims are patentably distinguishable over the art of record and that this application is now in condition for allowance. Such action is respectfully requested.

Respectfully submitted by,

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